

Brianne Land Altice
Pro Se

In the United States District Court in and
for the District of Utah, Central Division

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FEB 19 2019

U.S. DISTRICT COURT

Motion for Dismissal

Case No. 1:15-cv-0162

Case No. 1:15-cv-0157 (consolidated)

Judge Robert J. Shelby.

Joseph Gould-Wolf
Plaintiff,

v.

Davis School District et.al.,
Defendants.

And

Adrian Perez-Tamayo et.al.,
Plaintiffs

v.

Davis School District et.al.,
Defendants

FILED
U.S. DISTRICT COURT
DISTRICT OF UTAH
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Plaintiffs did not practice due diligence in ensuring defendant Altice was properly served all and any motions filed by Plaintiffs, especially response to filed dispositive motion. Plaintiffs are exploiting Ms. Altice's disadvantages of a marginalized person.

Plaintiffs attorney did not respond within five days of January 10, 2019 order, to prove service to Ms. Altice of all documents. Defendant Altice received on February 13, 2019, a random, and lone certificate of service (included) through main stream mail, again not giving service. This certificate of service claimed a packet of documents

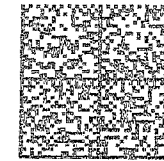
was sent "on or about" December 21, 2019. Ms. Altie never received said packet. If Plaintiffs sent this packet in the same form as February's "Certificate of Service", through mainstream mail, not legal mail, there is NO guaranty of delivery. There is a process put into place, so that certification of service is properly given to inmates, and verification is given to sender. Plaintiffs did not look into this process. Legal service is available and a very simple accurate system. Legal mail is secure where other is not.

Plaintiffs failure to properly service Ms. Altie has put her in a near impossible situation to have any chance to defend herself. Plaintiff claims that there is no way to communicate with Ms. Altie, which is entirely untrue. Again, Plaintiffs Council did not do their due diligence. The ways in which Plaintiffs Council could communicate with Ms. Altie are: call the prison, they will direct them to the proper case worker, from there calls & meetings can be arranged, emailing caseworker who's email address is simple to obtain, legal mail service, or setting up a visit through the prison. All these methods are available and none were attempted.

Defendant Altie has repeatedly sent letters to Plaintiffs Council, and has only been met with silence. It wasn't until the court sent him an order that he then sent ONLY a certificate of service, no other documents to Ms. Altie. Ms. Altie is asking for dismissal of this case.

Inmate Name Brianne Altv
Offender Number 222952
Inmate Housing T1 301B
Utah State Prison
P.O. Box 250
Draper, Utah 84020

SALT LAKE CITY
UT 840
15 FEB '19
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District of Utah
Office of the clerk
United States Courthouse
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Salt Lake city, ut 84101

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